IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1091 OF 2003

Ajinkya Builders & Ors. ...Petitioners
Vs.
Union of India & Ors. ...Respondents

Mr.S.M.Suryavanshi i/b. Mr. S.A. Sawant for Petitioners
Mrs. A.S. Pai, A.P.P for the State
None for Respondents 1 and 2

CORAM: SHRI R.M.S. KHANDEPARKAR &
SMT.ROSHAN DALVI, JJ.
DATED: 27TH JULY, 2007

P.C.

1. The learned Advocate appearing for the Petitioners states that in view of the order dated 23rd August, 2005 passed in Criminal Writ Petition No.1092 of 2003 in the matter between **Ajinkya Builders & Ors. Vs. Union of India & Ors.**, the present Petition does not survive and it is to be disposed off accordingly.

2. The order dated 23rd August, 2005 in Criminal Writ Petition No.1092 of 2003 relates to the Petition wherein vires of Section 27 of the Consumer Protection Act was

challenged, inter alia, challenging the warrant issued under the said Section. It is clear that what is challenged is the warrant issued under Section 27 of the Consumer Protection Act. However, in view of the submission made by the learned Advocate for the Petitioners, it is apparent that the grievance of the Petitioner made in the Petition does not survive pursuant to the decision by this Court in Criminal Writ Petition No.1092 of 2003. Therefore, while accepting the statement of the learned Advocate for the Petitioners, the Petition is accordingly disposed off as infructuous, in view of the decision of this Court in Criminal Writ Petition No.1092 of 2003.

3. Rule stand discharged. Interim relief stands vacated. The warrant stands cancelled. No order as to costs.

(SMT. ROSHAN DALVI, J.) **(R.M.S. KHANDEPARKAR, J.)**